This Issue of the A. F. of L. Weekly News Service Consists of 2 Pages

The A. F. of L. Weekly News Service gives news accounts and editorial interpretations of matters affecting labor everywhere in the industrial, legislative and judicial fields, and contains other information of benefit to the trade union movement.

AMERICAN FEDERATION OF LABOR

WEEKLY NEWS SERVICE

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To see what is right and not do it is want of courage.—Confucius.

WHOLE NO. 1464 WILLIAM GREEN, President WASHINGTON, D. C., SATURDAY, MAY 6, 1939. FRANK MORRISON, Secretary-Treasurer VOL. 29, NO. 18

Green Denies Lewis's Charge That Anti-Labor Business Aided A. F. of L. In Preparing Labor Act Amendments

"There Is Not One Word of Truth in the Allegation That I Conferred With Any Representative of the Manufacturers Association Regarding Proposed Amendments to the National Labor Relations Act," A. F. of L. President Asserts; Challenges C. I. O. Head "To Prove His Charges and Allegations."

By A. F. of L. Weekly News Service.

Washington, D. C.—The disreputable character of the attacks made by John L. Lewis, president of the Congress of Industrial Organizations, upon the amendments proposed by the American Federation of Labor to the National Labor Relations Act, and his equally disreputable attacks on President William Green, were disclosed in a letter which Mr. Lewis sent to the Senate Committee on Education and Labor, charging that the A. F. of L. amendments were prepared with the advice of representatives of the National Association of Manufacturers and other anti-labor corporations, and suggesting that the committee ask Mr. Green and his associates to answer the absurd claim made by the head of the C. I. O.

In addition to his brainstorm about corporations aiding the A. F. of L., Mr. Lewis suggested that the committee ask five other questions connected with the same palpable falsehood.

Charges Are Absolutely False

When the letter of Mr. Lewis was made known to President Green, he dictated the following reply:

"There is not one word of truth in the allegation that I conferred with any representative of the Manufacturers' Association regarding proposed amendments to the National Labor Relations Act.

"I challenge Mr. Lewis to prove his charges and allegations.

"Obviously, the charges he makes are designed to detract from the merits of the amendments proposed and can only be interpreted as evidence of the desperation to which the Congress of Industrial Organizations has been forced in order to maintain at any cost the advantages and the services of a biased board which it has enjoyed under the present set-up."

In a detailed statement before the Senate Committee on Education and Labor, in which his answers all of Mr. Lewis's questions categorically, Mr. Green declared:

"I learned through the public press of a letter addressed to you by Mr. John L. Lewis, president of the Congress of Industrial Organizations, in which you were requested to propound to me a series of questions.

Overdrive Is Charged

"The purpose of the letter is patent and obvious.

"It was prepared and submitted for propaganda purposes.

"It is filled with trickery and deception.

"It has nothing to do with the merits of the amendments to the National Labor Relations Act sponsored by the American Federation of Labor.

"I am sure that no member of the Committee on Education and Labor will be deceived or misled by it even though that may have been the intent of Mr. Lewis.

"Each of you can clearly see and fully comprehend the real purpose of the communication.

"It was designed to fan the flame of class hatred, to instill thoughts of falsehood and misrepresentation in the minds of working men and women and thus bring into play the prejudice and passions of those working people who would be misled by it.

"It was also intended to detract from a fair consideration of the virtue and necessity of the amendments proposed through an appeal to the base passions and class hatred of unsuspecting people.

"With your permission I wish to answer these questions categorically and seriatim. I make these answers for the sole reason that failure to do so might be accepted as an admission of the truth of the implications contained in the questions submitted."

Amendments Prepared by A. F. of L.

Mr. Lewis's first question (as reported in the public press) was: "Were the amendments prepared solely by representatives of the American Federation of Labor and in the interest of the working men of this country?"

To this question Mr. Green replied: "As set forth in the prepared statement which I submitted to your Committee and which I adhere to, the amendments proposed by the American Federation of Labor were sent into effect October 24, 1938. On April 24, Elmer F. Andrews, Administrator of the Wage and Hour Division of the U. S. Department of Labor, delivered an address on 'Six Months of Wage and Hour Progress' arranged by The Evening Star, Washington, D. C., and broadcast over a nation-wide network of the National Broadcasting Company. This article includes Mr. Andrews' survey of the benefits received from the Act so far by employes upon whom employers are have hitherto imposed low wages and the advantages which low-wage workers will receive next October 24 when the national minimum wage is increased from 25 cents an hour to 30 cents.

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300,000 Workers in Low-Wage Groups Have Benefited From Wage-Hour Law

Wages of 550,000 More Will Automatically Advance From 25 Cents Per Hour to 30 Cents Next October, Andrews Says.

By A. F. of L. Weekly News Service.

The Fair Labor Standards Act, whose fundamental principles were willfully supported by the American Federation of Labor, went into effect October 24, 1938. On April 24, Elmer F. Andrews, Administrator of the Wage and Hour Division of the U. S. Department of Labor, delivered an address on 'Six Months of Wage and Hour Progress' arranged by The Evening Star, Washington, D. C., and broadcast over a nation-wide network of the National Broadcasting Company. This article includes Mr. Andrews' survey of the benefits received from the Act so far by employes upon whom employers are have hitherto imposed low wages and the advantages which low-wage workers will receive next October 24 when the national minimum wage is increased from 25 cents an hour to 30 cents.

By ELMER F. ANDREWS

Administrator, Wage and Hour Division, U. S. Department of Labor

The Fair Labor Standards Act went into effect October 24, 1938. April 24, marks the completion of the first six months of our experience in administration and enforcement. This is an appropriate hour in which to sum up progress of the first half year and to chart, if possible, the course for the future.

A city's slums, in the dim light of midnight, may wear to the casual observer a not unpleasing aspect. Deep shadows mellow crass outlines and touch with beauty the sagging roofs. But presently the sun comes up and one sees revealed the broken windows, and the sunken walls, and the ramshackle stairways, the piles of filth and the rats scurrying about among the overturned garbage cans. Always we have had slum areas on the edges of our economic system. But we used to see them through the hazy shadows of our own ignorance or indifference, and we took refuge in the mumbo jumbo of old shibboleths.

Contemptible Practices Uncovered

The Fair Labor Standards Act has been a searching light thrown upon the dark places of American industry.

The unpleasant things we could not see before, and the things we did not wish to see, stand revealed. We cannot duck them. No amount of talk about the beauties of rugged individualism will obliterate them. Long tolerated despicable practices have been brought to light, and we know where the scrubbing brush and the fumigator are needed. Were there no other benefits with which we could credit the law, the light it has shed upon these dark corners of industry alone would be its justification.

Increased Wages for Thousands

But we have substantial accomplishments to report. When the law became effective last October we estimated that 11,000,000 workers engaged in commerce or in the production of goods for commerce were entitled to the benefits of the law. Of this number, 3,000,000 were receiving less than 30 cents an hour. Their wages were automatically increased to 30 cents an hour on October 24, 1939. Another 550,000 were receiving 25 cents an hour and will receive 30 cents an hour on October 24, 1939.

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A. F. L. Hits Scheme to Displace American Seamen With Filipinos

Naturalization Bill Backed By C. I. O. Would Also Endanger Our Asiatic Exclusion Policy.

By A. F. of L. Weekly News Service.

Washington, D. C.—Another attempt is being made by the C. I. O. to qualify Filipinos for jobs on American ships.

On March 29, 1939, the president of the C. I. O. Seamen's Union testified before the House Committee on Merchant Marine and Fisheries that there were unemployed in Atlantic and Gulf ports approximately 15,000 experienced seamen and approximately 3,000 licensed officers.

On May 3, 1939, the Legislative Representative of the C. I. O. Seamen's Union testified before the House Immigration Committee in support of H. R. 2657 providing that Filipinos who have served three years on American ships shall be eligible to U. S. citizenship.

When asked if the enactment of this bill would not further increase unemployment among American seamen the C. I. O. representative stated:

"I will not undertake to state in detail our objections to the entire amendments but will confine myself to a statement concerning several of the more fundamental provisions.

"We are opposed to the proposed separation of the judicial from the administrative functions of the Board accomplished by the amendments which permit the employer to file suit for an unfair labor practice case to the District Court.

Hits Court Review of Evidence

"We are opposed to court review of the weight of the evidence. To lodge that power in the courts will mean a re-trial of every case in the courts on the facts. It would bring about end-

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A. F. of L. DEMANDS OUSTER OF LABOR RELATIONS BOARD

"The Present Board Has Alienated the Confidence of the American Federation of Labor and Its Millions of Members, As Well As of a Large Portion of the Public," Green Tells Senate Committee; Urges Five-Man Board with Curtailed Power.

By A. F. of L. Weekly News Service.

Washington, D. C.—William Green, president of the American Federation of Labor, in his statement before the Senate Committee on Education and Labor in support of the A. F. of L. Amendments to the National Labor Relations Act, charged the National Labor Relations Board with usurpation of power, with bias against the American Federation of Labor, and favoritism for the C. I. O., including the "gerrymandering" of labor units in the interests of the latter.

As an instrument to end the maladministration of the Labor Relations Act, Mr. Green said one of the A. F. of L. amendments provides "for the abolition of the present Board and the creation of a new Board of five members to be known as the Federal Labor Board."

In supporting this amendment increasing the membership of the National Labor Relations Board and other amendments strengthening the administration and circumscribing the arbitrary powers exercised by the Board, Mr. Green said:

"Stated generally, our opposition to the Board is that in deciding cases it has established precedents whereby the so-called economic philosophy of one labor group is encouraged and sustained, while that of another is suppressed and even obliterated.

"The Board has taken sides in what has been called an 'ideological controversy' and has rendered decisions which promote the cause of rival of the American Federation of Labor to the injury and detriment of the American Federation of Labor.

"In order to fully understand our position one must regard the character of such decisions as we complain about, the manner of approach by the Board to the particular cases involved in those cases, the basis upon which the decision is made and the implications of these decisions.

"The American Federation of Labor asserts that the Board has taken sides as between us and our rivals.

"We contend that its decisions are not fair; that the Board's approach was unjudicial and that its administration was biased.

Board Aided Dualism

"We say that when the division in the labor movement came about the

(Continued on Page 2)

Senator Burke's Amendments to Labor Relations Act Opposed by A. F. of L.

Green Tells Senate Committee They Are "Destructive of the Purpose and Theory" of the Act and "Detrimental to Its Efficient Administration."

By A. F. of L. Weekly News Service.

Washington, D. C.—Strong opposition to the amendments to the National Labor Relations Act proposed by Senator Edward R. Burke of Nebraska was voiced by William Green, president of the American Federation of Labor, in his testimony before the Senate Committee on Education and Labor in favor of the A. F. of L. amendments contained in the bill introduced by Senator David I. Walsh of Massachusetts. In addition to the Burke amendments, Mr. Green Senator's criticism included amendments offered by a number of other Senators.

In discussing these various amendments, and especially the ones offered by Senator Burke, Mr. Green said:

"I am mindful of measures and amendments which have been introduced by others on the subject in the session of Congress. We have carefully examined these amendments. They have given us grave concern.

"In fact, the question we had to answer in our own mind was: Did Senator amendments and thereby invite proposals for legislation which will be fatal to and destroy the fundamental guarantees embraced within the present act.

"If the determinations of the Board were based on mere error of conclusion, or if the Board were to make haps have abstained from submission of amendments and have sought to remedy them by the Board in an effort to have them correct their errors.

Board Ignores Complaints

"But for almost two years we have made our position clear. We have directed our complaints to the attention of the Board, as well as having made them public. We went so far as to cause to be introduced both in the Senate and in the House of Representatives a measure to revise the unit rule.

"Our complaints have gone unheeded. Instead of a reversal of the Board's decisions and policies more drastic decisions have been handed down by the Board, having a more drastic effect on our great organization.

"The public and official utterances of certain members of the Board have been more vehement as time went on.

"We could no longer refrain from requesting Congress to grant us relief and to amend the Act so as to have its conform to the original intent and to assure fairness in its administration.

"But we must not lose sight of the point I stressed in the opening of my remarks, that the Act was necessary to overcome certain evils and it contains fundamental guarantees which must not be weakened or abolished.

Outlines Opposition to Burke Amendments

"Therefore I would like to make clear the position of the American Federation of Labor in regard to Senator Burke's amendments.

"Taking Senator Burke's proposals as a whole, the American Federation of Labor stands opposed to them as destructive of the purpose and theory of the National Labor Relations Act, and as detrimental to its efficient administration.

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OFFICE WORKERS SIGN UP 2 HEARST NEWSPAPERS

Agreement Negotiated by A. F. of L. Union With Milwaukee Publishing Company Establishes High Salary Schedules, the Forty-Hour Week and Other Union Terms.

Milwaukee, Wis.—An agreement providing for what is believed to be the highest salary rates for commercial department employes on any Hearst newspaper—and one of the highest salary schedules of any newspaper in the nation—was signed here April 25th by the Office Workers' Union No. 16456, affiliated with the American Federation of Labor, and the Milwaukee Publishing Co., publishers of the Milwaukee Sentinel and the Sunday News-Sentinel.

The signing of the agreement by Harold E. Beck, business representative of the union, and William Thomson, business manager of the company, pletes for the first time, all the employes of the Sentinel under union contracts, the American Newspaper Guild still retaining representation for the editorial department employes.

After winning two elections, conducted by the National Labor Relations Board, to prove its right to rep-

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11,178,000 WORKERS ARE REFUSED JOBS

A. F. of L. Says Labor-Displacing Machinery Installed by Employers Constantly Adds to the Unemployed Army.

By A. F. of L. Weekly News Service.

Washington, D. C.—Although the number of workers on payrolls is gradually increasing because of seasonal conditions, the increase is very little more than a dent in the unemployed army which is now over 11,000,000, the American Federation of Labor declared in its review of the nation's unemployment situation.

The continuing crisis for the jobless is accentuated, the Federation said, by the constant increase in the working population coupled with the equally constant displacement of workers by machinery installed under the direction of those who own and control American industry.

"Employment gains," the Federation said, "are continuing this Spring, making a good contrast to last Spring's layoffs, and in March there were 600,000 more at work in American industry than in February, as that unemployment in March was slightly below that of March last year, with 11,178,000 unemployed in March this year as compared to 11,226,000 last year at that time.

"It has been exceptionally hard to

(Continued on Page 2)

A.F.of L. COUNCIL MEETS IN WASHINGTON MAY 10

Washington, D. C. (AFLWNS).—Frank Morrison, secretary-treasurer of the American Federation of Labor, announced today that the Spring meeting of the Executive Council of the Federation will convene in Washington May 10, at the A. F. of L. headquarters, Washington, D. C.

The Executive Council of the American Federation of Labor consists of the president of the A. F. of L., the the Union Label Service Department of the American Federation of Labor, returned from a trip to Milwaukee, Wisconsin, and Canton, Ohio, where he addressed enthusiastic Union Label gatherings.

At Milwaukee, the Wisconsin State Federation of Women's Auxiliaries of Union Labor was formed and a constitution adopted. The first convention was an outstanding success.

While Mr. Ornburn was in Milwaukee several manufacturers applied for the use of the Union Label.

On May 9, Mr. Ornburn will address the convention of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employes at Toronto, On May 11, he will address the convention of the Order of Railroad Telegraphers in Milwaukee.

In Cincinnati, on May 19, he will address a mass meeting of the members of the Central Labor Union, Union Label League and Women's Auxiliaries.

On May 15 and 16, the Executive Board of the Union Label Trades Department will hold its quarterly meeting at A. F. of L. headquarters in Washington, D. C.

ORNBURN REPORTS GOOD UNION LABEL PROGRESS

Union Label Trades Department Executive Board Meets in Washington on May 15.

Washington, D. C. (AFLWNS).—I. M. Ornburn, secretary-treasurer of the Union Label Service Department of the American Federation of Labor, returned from a trip to Milwaukee, Wisconsin, and Canton, Ohio, where he addressed enthusiastic Union Label gatherings.

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A.F.L. MEMBERSHIP TOTALS 3,776,218

1,336,163 New Members Gained Since the C. I. O. Secessionists Set Up a Dual Organization and Undertook to Overthrow Majority Rule in the Federation.

By A. F. of L. Weekly News Service.

Washington, D. C.—Frank Morrison, secretary-treasurer of the American Federation of Labor, announced that the paid-up membership of the Federation on May 2, 1939, was 3,776,218.

This is an increase of 1,336,163 over the membership we had on August 31, 1936," he said, adding:

"National and International Unions and local trade and federal labor unions affiliated with the American Federation of Labor are required to pay per capita tax upon their full paid-up membership. Therefore the membership figures I have given do not include members of the affiliated unions who were unemployed."

The membership figures for August 31, 1936, included the unions which established the C. I. O. under the leadership of John L. Lewis, and were suspended from the American Federation of Labor in September, 1936, after refusing to withdraw from the Lewis group, which the A. F. of L. Executive Council held was a dual organization. The gain of 1,336,163 new members since the C. I. O. dualists were dropped is a definite tribute to the virility of the policy of majority rule, democratic procedure and opposition to all forms of dictatorship on which the American Federation of Labor firmly stands.

Fundamental Amendments to Labor Relations Act Are Urged by Green

Condemns Labor Board For Arbitrarily Interpreting the Act Against the A. F. of L. and in Favor of the C. I. O.; Advocates Enactment of Federation's Amendments Contained in Walsh Bill to Prevent the Board From Invalidating A. F. of L. Agreements, Destroying Craft Unions and Using Other Unwarranted Devices to Thwart the Purpose of the Law.

By A. F. of L. Weekly News Service.

Washington, D. C.—Demanding the termination of an "unholy alliance" between the National Labor Relations Board and the Congress of Industrial Organizations, William Green, president of the American Federation of Labor, testifying before the Senate Committee on Education and Labor, presented indisputable and convincing arguments in favor of the Federation's amendments to the National Labor Relations Act contained in the bill introduced by Senator David I. Walsh of Massachusetts.

Occupying the witness stand for two days, Mr. Green gave a detailed and factual explanation of the A. F. of L. amendments, which, he said, seek the following objectives:

1. To promote fair, equal and unprejudiced administration of the Act.

2. To prevent the Board from arbitrarily outlawing A. F. of L. union contracts.

3. To prevent the Board from destroying the integrity of the craft unit.

4. To prevent the Board from exercising its vast discretion in respect to the time in which it acts in such a way as to prejudice the interests of the A. F. of L. and to favor those of rival organizations.

5. To compel the Board to correct its shortcomings and make it conform to present realities.

In connection with these objectives, Mr. Green asked for the establishment of a five-man board to administer the Labor Act in place of the present three-man board.

Hits Employers "Interference"

In his attack on the National Labor Relations Board, he charged that the Board disregarded any "normal" or "friendly" relationship between employers and employes. In the Tennessee Copper Company case, for example, he told the committee, the Board had invalidated an election won by the A. F. of L. because it ruled that the employer had "interfered" with the union.

"That interference," said Mr. Green, "merely meant that subforemen and straw bosses eligible to union membership had, during the course of election excitement, gratuitously expressed opinions to the effect that the C. I. O. was run by dictators and that the C. I. O. would cause strikes in the plants."

In addition, he said, a sub-foreman, president of a local A. F. of L. union, had "gratuitously and quite naturally brought to the election booths some A. F. of L. workers living in outlying districts."

Rules Made to Favor C. I. O.

He charged that when the labor split came, the Board devised rules favoring the C. I. O. and created precedents which assisted the C. I. O. He declared that the Board's rules on bargaining units constituted the device of the "dictator."

Mr. Green advocated amendments to the law which, he said, would make it mandatory for the Board to outlaw company unions more effectively, would prevent the Board from invalidating union contracts, would protect the craft unions in board rulings and would permit appeals to the courts when the Board failed to act on union petitions for certification.

Company Union Abolition Sought

With regard to company unions, Mr. Green said that the provisions of the present National Labor Relations Act, which it was supposed abolished these monstrosities, meet this evil "only partially and indirectly."

"More important and most important to the American Federation of Labor," he added, "is the language of the present Act which purports to cover company unions has been interpreted to the detriment of our interests by means of a perverted construction of the language used in Section 8 of the Act originally designed to prevent only activities of an employer attempting to create or maintain a company union, the Board has invalidated our contracts, prevented employer recognition of our unions, upset elections we had won."

To meet this exigency, Mr. Green said it was necessary for the American Federation of Labor to "seek to strengthen the Act by specifically defining company unions and outlawing

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A. F. L. Has "Lost Faith" in Labor Relations Board, Padway Declares

Tells Senate Committee the Board's "Prejudice and Bias Against the American Federation of Labor and Its Affiliates and in Favor of Its Rivals" Are Responsible For "This Loss of Confidence and Lack of Respect."

By A. F. of L. Weekly News Service.

Washington, D. C.—The National Labor Relations Board was strongly criticized for its maladministration of the National Labor Relations Act and its pro-C. I. O. attitude by Joseph P. Padway, general counsel for the American Federation of Labor, in his opening statement before the Senate Committee on Education and Labor during the hearing on the National Labor Relations Act amendments proposed by the A. F. of L.

Mr. Padway who followed William Green, president of the Federation, said the A. F. of L. amendments deal "with appropriate unit for the purpose of collective bargaining, invalidation of contracts, procedure under the Act, and with the abolition of the present Board and the creation of a new Board consisting of five members and called the Federal Labor Board."

Five-Member Board Demanded

Taking up first the proposal to abolish the present three-member National Labor Relations Board and substitute therefor a five-member board, Mr. Padway said:

"It follows the method adopted by Congress in abolishing the United States Board of Mediation and creating the present National Mediation Board; and in abolishing the first National Labor Relations Board and creating the present Board.

"The amendment vacates the offices of the present incumbents and empowers the President to appoint, by and with the advice of the Senate, five new members. It provides for a continuation of the work of the present Board during the new Board.

"The present personnel of the Board, or so much thereof as is necessary, is taken over by the new Board without, however, giving to them Civil Service status so that the new Board may make such changes in personnel as it deems proper.

Present Board Condemned

"The American Federation of Labor has lost faith in the present Board. The basis of such loss of faith is summed up in the report of the Executive Council of the American Federation of Labor unanimously adopted by the 58th Annual Convention at Houston, Texas, last October, and which has been read to you by President Green.

"Action having been taken by the American Federation of Labor in convention, it became unnecessary for the individual State Federations of Labor, International Unions, and Central Bodies to take separate action—Yet, from time to time some affiliates, smarting under the administration of the Act by this Board,

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A.F.L. SIGNS UP NINETY CLEANING & DYEING FIRMS

Agreement With Chicago Companies Provides For 44-Hour Week and Other Union Standards; Fifty Tetrachloride Plants Also Sign Union Contract.

Chicago, Ill. (AFLWNS).—After several months of intensive organization work, Local Union No. 3 of the International Association of Cleaning and Dye House Workers, affiliated with the American Federation of Labor, has consummated contracts with ninety cleaning and dyeing firms in Chicago. John Zitella, general organizer of the association, announced.

Chain store operators, and wholesale and retail firms are included in the agreement which became effective on April 1.

In addition to the ninety cleaning plants, approximately fifty tetrachloride plants have entered into a similar agreement with Local No. 3.

The agreement provides for a forty-four hour working week with time and a half for overtime. The scale of wages is the same as that which prevailed during the year of 1934. This is a scale in excess of that prevailing during the past five years.

A week's vacation with pay will become effective during 1940, and a guarantee of one day's wages or a portion thereof, for every fifty days, should a worker be discharged. The latter is effective for the year 1939.

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Fundamental Amendments to Labor Relations Act Are Urged by Green

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all of their activities, and at the same time preventing the Board's practice of utilizing language, designed only to prohibit company unions, as a cloak for prejudicial decisions against legitimate, nationally affiliated organizations."

To accomplish this objective, Mr. Green said the A. F. of L. amendments defined the term "labor organization" so as to exclude "company unions," thus "making certain that company unions obtain none of the benefits accorded legitimate labor organizations by the Act."

Then, he said, a new definition is added to the Act which specifically designates a company union as ". . . any agency, committee, employes' association or employe representation plan, which exists for the purpose, in whole or in part, of dealing with an employer or employers concerning grievances or terms or conditions of employment, which the employer creates, dominates, controls or maintains."

"Here for the first time in a National Act," Mr. Green declared, "is set out and out definition of company unions."

Craft Unions Menaced

The Labor Board, by its power to decide the unit of bargaining, according to Mr. Green, decided the form and structure which the trade union movement was to assume. Thus, he said, the Board deliberately "fostered craft lines. When the Act was in controversial stage, we asserted that he had the idea that the time would come when the craft unions would have to fight with their backs to the wall against deliverance to dual or rival organizations by this Board."

Even if there was no complaint against the board, he asserted, the change in conditions brought about by the split in the labor movement was reason enough to compel an amendment that would limit the Board's power to determine the bargaining unit.

He referred to Edwin S. Smith's dissent to the Board's decision in the Bell Aircraft case as "shining light on his part to craft unions." He also criticized Mr. Smith for denying to the craft established Machinists Union, in the Fairbanks Morse case, the right to constitute a bargaining unit in a plant election.

"Could Mr. Edwin S. Smith have made more eloquent argument while pursuading the pattern makers that they were fools for remaining members of the Pattern Makers Union?" he asked. "Could he have been more effective as a solicitor for C. I. O. membership?"

A. F. L. Has "Lost Faith" in Labor Relations Board, Padway Declares

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have emphasized the action taken by the convention in making independent protest against the Board."

Among the A. F. of L. affiliates which have protested against the arbitrary and unwarranted decisions of the Labor Board aimed against the American Federation of Labor, Mr. Padway included resolutions adopted by the 1938 convention of the New York State Federation of Labor, the Illinois State Federation of Labor, the Indiana State Federation of Labor, the Massachusetts State Federation of Labor, the Oregon State Federation of Labor, the Washington State Federation of Labor, the Legislative Committee of the Wisconsin State Federation of Labor and the Metal Trades Department of the American Federation of Labor.

The Massachusetts State Federation of Labor, Mr. Padway said, "urged the removal of Edwin S. Smith and Donald W. Smith from the National Labor Relations Board and accused the New England Regional Administration of the Board with bias toward the C. I. O." The Oregon State Federation of Labor declared that "the Board has usurped powers which the law does not confer," and the A. F. of L. Metal Trades Department declared "that there must be changes now respecting the Board and its regional representatives before the Act is intrusted, and we believe it must be, and can work satisfactorily and with equity."

Confidence in Board Lost by A.F.L.

"We have on file numbers of letters from our unions all over the country registering similar resentment," Mr. Padway continued.

"I present the foregoing to this Committee to establish one outstanding fact, is, that the American Federation of Labor and its affiliates have no confidence in the Board as presently constituted, have no confidence in many of its agencies and personnel, and no longer respect the administration of the Act by this Board, whatever the reasons are, that situation being a fact, it seems to me that this Board cannot function effectively.

"This is not a case where the principle embodied in an Act are distasteful to the group now seeking abolition of the Board. On the contrary, we have wholeheartedly supported, and so was the Board when first created. Since there is much determined resentment to the Board, is it not reasonable to infer that something has happened which has brought about this loss of confidence and lack of respect for the administration of the Act?

"Although loss of confidence in the Board and lack of respect for its administration, whatever the reasons may be therefor, are sufficient to warrant the adoption of our amendment, we will show that the prejudice and bias of the Board against the American Federation of Labor and its affiliates and in favor of its rivals has brought about this loss of confidence and lack of respect as we discuss the various amendments proposed."

Board's "Unbridled Discretion" Must Be Curbed

With regard to proposals to separate the administrative and judicial functions of the Labor Board, Mr. Padway said: "The American Federation of Labor has given serious consideration to this proposal and has come to the conclusion that such proposals challenge the structure of many other administrative tribunals," and that "to eliminate administrative discretion, for whatever reason would be, in effect, to stop our contemporary processes of Government."

Adding:

"We hope by our amendments to curtail the unbridled discretion of the National Labor Relations Board, but we do not subscribe to a plan, measure or principle separating the judicial from the administrative functions of the Board."

11,178,000 WORKERS ARE REFUSED JOBS

(Continued From Page 1)

reduce the unemployment created by the 1938 recession. This is partly because our working population is increasing by 400,000 a month and unless employment gains more than this it cannot reduce the jobless army. Also, machines are constantly replacing men and women in the nation's workshops. Far deeper reasons unemployment today is almost as high as it was in the worst months of the 1938 recession.

"The peak 1938 unemployment was 11,000,000 in May. The summer's quick industrial gains sent more than a million back to work and by December unemployment had dropped to 10,300,000.

"Then came winter layoffs, quickly raising the figure to 11,900,000—more than cancelling all the summer gains. With a few hundred thousand back at work in the spring buoyant season this year, unemployment is down to 11,178,000. This is small improvement over the peak 1938 figures.

"Trade union members have fared better than non-union workers, but they have stopped short of getting back to pre-recession employment. Before frost, trade unionists now steady employment gains since January, reducing the number out of work from 6,700,000 in January to 6,500,000 in February to 11.2 per cent in April (weighted figures). This compares with 15.8 per cent out of work in April last year, but is still considerably above 1937 when only 9.8 per cent were unemployed.

"A two year comparison of union figures also fail in building confidence unemployment is almost down to prerecession levels, but metal trades still have. Little or no gains have been completely regained.

"The April report shows part time work slightly on the decline, with a larger proportion of full-time employment, and every report for cities shows gains in nearly all the 24 cities reporting, losses in only one, no change in one. This is particularly encouraging.

"Figures for the country as a whole in March had been 11,901,000 against 11,178,000 in April. Employment gain in manufacturing, mining, bituminous coal mines, hotels, restaurants and dyeing contrast with losses in these industries at this time last year. In all the whole, non-farm employment increased by 160,000 this year in March, which compared with 1938 was 1,000,000 in March last year. This gain is significant however, compared with the large number who have no work.

"Help for the unemployed in the form of WPA and PWA projects will less this year than last, although unemployment in the first quarter of 1939 was down by 1,000,000.

"Relief rolls were 7,757,000 on April 15, this year, which compares with 3,177,000 April 15, 1937.

"Relief rolls were supporting 1, 841,000 persons in March compared to 2,005,000 last year (February)."

OFFICE WORKERS SIGN UP 2 HEARST NEWSPAPERS

(Continued From Page 1)

resent the commercial departments, the Office Workers' union was certified as the collective bargaining agent by the N.L.R.B. on April 3rd. In the first election, the AFL union defeated the C. I. O. Newspaper Guild, which was then eliminated from the run-off election.

An agreement, which recognizes the AFL union as the sole bargaining agent for all the commercial department employes, concluded three weeks of negotiating between the Office Workers' Union and company representatives.

The severance pay and paid vacation provisions of the agreement, it believed, like the salary classifications, to be among the most liberal in the country.

Covering 109 employes in the stenographic, bookkeeping, accounting, clerical and accounting departments, the agreement, effective upon its signing, runs for three years. Either party may propose changes in salary and other provisions at the end of each year.

Salary increases, reaching a maximum of $10 a week in case of classifications, will increase the annual payroll of the commercial departments by $10,000.

The cash severance pay clause in this agreement provides for one week's salary for each 30 weeks of continuous employment up to a maximum of 26 weeks salary for 52 weeks or more employment. According to this clause, lump sum cash payments will be made to any employe discharged for any reason except proven misconduct.

Vacations with pay are provided as follows: after six months employment, one week's pay; after nine months, two weeks; after 10 years, three weeks.

The agreement also establishes a 40 hour work week, double pay, time and a half for overtime, sick leave, and sets up a grievance machinery.

Members of the union's bargaining committee, who assisted Mr. Beck in the negotiations, were Sam Cooper, representing display advertising department; Robert C. Wilcoxen, outside display advertising; Lucille Dies, inside classified advertising; Robert Kopes, financial and accounting; and Joseph Kroeger, inside circulation.

300,000 Workers in Low-Wage Group Have Benefited From Wage-Hour Law

(Continued From Page 1)

gaged in interstate commerce, or in the production of goods for interstate commerce, were covered. Of these we had reason to believe 300,000 were then receiving less than 25 cents an hour. We think we can safely say, saying that most of these have had their wages raised.

"We also know that some 550,000 are receiving less than 30 cents an hour, the minimum wage that becomes mandatory next October. Since we do not know how much less each is receiving, we cannot talk about the possible wage increase for the entire group with certainty, but we can follow up those 300,000 who are receiving less 25 cents an hour for the first time and who will receive 30 cents an hour for the first time next October.

Each of these employes who works 42 hours a week—the statutory work week after next October 24—will receive $2.10 more in his pay envelope than he is now getting—$84.00 more each week for the entire group or $32,760,000 more a year.

Of the remaining 10,700,000 covered by the act, some have received time and a half for overtime this year, or have had their working week shortened, and it seems safe to assume that they will receive still more overtime pay next year.

The purchasing power of the Nation has been increased, and the consumer money having gone to the lowest paid workers, has been and will continue to be spent for food, clothing and shelter, which will bring new business to those who have goods to sell and open up new opportunities for employment to thousands of men and women still without jobs.

Over 4,000 Valid Complaints of Law Violation Received

As to compliance with the law to date I can speak with considerable assurance.

I don't ordinarily hear about the people who are getting the benefits to which they are entitled, but I hear a great deal about those who believe they are not getting their benefits. If any considerable number of workers were not getting the full time-and-a-half pay for overtime, they would be registering a kick. I have been instructed by them to kick, have flooded the country with complaint forms, and have set up offices in many cities where they can get help in filling out these forms.

We have not had 11,000 such complaints. We haven't had a hundred thousand complaints. We have had just 11,910, or about one complaint for each 11,000 workers covered. That is pretty good evidence of general compliance.

Of the 11,910 complaints, many are duplicates—two or three persons reporting the same circumstances. Of the remainder, 4,145 came to us "cold."

A great many, of course, are based upon misunderstanding of the law, or were filed by workers not at all employed in interstate commerce and, therefore, must look to their own State Legislatures for such wage and hour protection.

Every complaint that seems to be valid must be carefully analyzed. Usually more information is needed and field investigations must be made, patiently interview employers and workers and carefully check factory records. That takes time.

Nineteen Employers Prosecuted

Nineteen cases have gone to the courts. Of these, five were criminal prosecutions, 14 were applications for injunctions. Still other reported violations have been referred to the Department of Justice for possible future prosecution. At every point, the Wage and Hour Division has been upheld in the courts. So far we have not lost a single case—not one. We have levied in four criminal cases totaling $2,500, of which $17,000 was suspended pending the full restitution of wages to the employes which the employer had pocketed, and proof of future compliance. Restitution of pay to workers under the six injunctions already granted has amounted to approximately $12,000.

In some cases violations have been due to ignorance of the law on the part of employers or to misunderstanding.

Frequently, it has been necessary merely to point out the violation to bring the employer into line and to obtain restitution of wages due.

Naturally, we prefer this method, wherever possible, to the expense and delay of court injunctions or court proceedings, and frequently, where the case is not flagrant and no falsification of records is involved, we utilize this procedure, because our major objective, always, is to obtain for the workers of the country the benefits Congress intended them to have without the necessity of litigation.

Many thousands of dollars have been added to workers' pay by this method. In Atlanta, Ga., the other day a single employer paid $6,416 to 139 employes—an average of $47 apiece—and is now complying with the law.

Underpaid Employes Can Collect Twice Amount of Wages Withheld

We began enforcement six months ago with a small headquarters staff and with only 23 inspectors in the field to cover the whole of this enormous country, an average of less than one inspector for every two States. Since then, plus a reasonable attendance by each of the inspectors, plus a reasonable attendance by each of the inspectors at conferences of the National Association of Manufacturers in the preparation and construction of these amendments.

Mr. Lewis's third question (as reported in the public press) was: "Did Mr. William Green or his associates request secret meetings with representatives of various corporations in connection with the preparation of such proposed amendments?"

Mr. Green's answer to Mr. Lewis's third question was: "My answer to question No. 3 is, 'positively no.' I did not, at any time, ever confer in either public or open meetings with representatives of various corporations in connection with the preparation of these amendments."

Mr. Lewis's fourth question (as reported in the public press) was: "Did Mr. Green and his associates disclose the names of the corporate representatives with whom they conferred in connection with the amendments?"

Mr. Green's reply to Mr. Lewis's fourth question was brief but to the point. He said: "The full and complete reply to this question is found in the answer I made to Question No. 3."

Mr. Lewis's fifth question (as reported in the public press) was: "Are the corporations whose representatives conferred and advised with Mr. Green or his associates as to the proposed amendments under charges with the National Labor Relations Board as the most serious and flagrant violators of the Wagner Labor Act?"

Replying to this question, Mr. Green said: "No representatives of any corporations have consulted and advised with me regarding proposed amendments to the National Labor Relations Act."

No Revolt Against Amendments in A. F. of L.

Mr. Lewis's sixth question (as reported in the public press) was: "Is there accounts for the widespread revolt on the part of many A. F. of L. international unions, State federations of labor and bodies of local unions throughout the country against the proposed amendments if not the intimidation and coercion on the part of members of the A. F. of L. to force the Executive Council to act prepared in the interest of the rank and file workers but rather to serve the purpose of enemies of labor?"

Replying to this sixth question, Mr. Green said:

"First, I wish to state there is no revolt on the part of the International Unions, State Federations, local labor bodies and locals affiliated with the American Federation of Labor.

"Whatever change may have taken place as between some few local organizations and groups is due entirely to the C. I. O. misrepresentation and malicious propaganda such as is incorporated in this letter to which I am making reply.

"I repeat, instead of attacking the amendments upon their merits the C. I. O. has engaged in a malicious campaign of personal abuse, appeals to class prejudice and class hate and the dissemination of falsehoods and untruths respecting not the merits of the amendments but their motivation and presentation to your Committee.

C. I. O. Propaganda Assailed

"The C. I. O. offers the best evidence, through vicious propaganda and misrepresentation and prejudicial suggestions, of their determination and desire to hold fast and maintain all the benefits and advantages which have accrued to them through the maladministration of the National Labor Relations Act by a prejudiced Board.

"They are fighting desperately against giving up the advantages they hold and which have been accorded to them by a Board which evidently has absorbed and accepted their peculiar brand of trade-union and economic philosophy.

Labor Board Aids C. I. O.

"Why does the C. I. O. oppose amendments to the National Labor Relations Act? Why do they wish to maintain it just as it is? Why do they wish to continue the present maladministration of the Act?

"The answer is simple. They have been the beneficiaries of the Act and maintain these benefits. They know if the Act remains as it is and is administered as it has been that the cause of the C. I. O. will be greatly advanced and the position of the American Federation of Labor will be made more difficult.

"They do not wish for a fair and judicious administration of the Act but instead they want a pro-C. I. O., biased administration in the interests of the leaders of the C. I. O.

In summarizing his answers to Mr. Lewis's questions and the purpose of the A. F. of L. amendments to the National Labor Relations Act, Mr. Green declared:

Amendments Voted by A.F.L. Convention

"In conclusion may I state, in simple words, that these are not my personal amendments. They are the amendments of the American Federation of Labor itself.

"By the unanimous vote of the Convention (which is the supreme authority within the American Federation of Labor), I was commissioned to prepare and submit these amendments to the Congress of the United States for enactment into law.

"The Convention, cautious and determined to protect the fundamental principles of the National Labor Relations Act which the American Federation of Labor originally sponsored, submitted nine drafted amendments which we believe were to follow in meaning and substance.

"This decision was arrived at after a full discussion and consideration which lasted a considerable length of time, by the delegates in attendance at this Convention.

"As President of the American Federation of Labor, I am discharging my duty in bringing these amendments to Congress for favorable consideration and action.

"The preparation and submission of these amendments have been under my direct and official supervision at all times.

"The need for these amendments grew out of our experience with the government agency clothed with responsibility to administer the National Labor Relations Act.

Interests of Unorganized Labor Served

"These amendments are in no way designed to serve the special interests of the membership of the American Federation of Labor but for the primary purpose of serving the highest and best interests of the millions of unorganized workers who are entitled to exercise the right of self-determination in joining free, democratic trade unions and in the election of their own bargaining agency.

"I have submitted these amendments in all good faith. I have asked that they be considered and acted upon solely because of their merits and without regard to personalities. I am in thorough accord with the amendments proposed.

"I assert, with all sincerity and honesty, that the adoption of these amendments will serve to preserve and perpetuate the fundamental principles of the National Labor Relations Act and to further and promote the cause of industrial peace and order and the general welfare of all the people."

Green Denies Lewis's Charge That Anti-Labor Business Aided A. F. of L. In Preparing Labor Act Amendments

(Continued From Page 1)

mittee today, the amendments were prepared by representatives of the American Federation of Labor and approved by the unanimous vote of the Executive Council.

"The Council participated in the consideration and adoption of the amendments other than the members of the Executive Council of the American Federation of Labor, meeting in executive session.

"They are submitted to you as the finished product prepared and adopted by the men who make up the Executive Council, acting upon the express direction of the Annual Convention which represented five million members of the American Federation of Labor.

"One additional amendment, providing for the substitution of a National Labor Relations Board as proposed of five instead of three members, as it is now constituted, was drafted but not ordered submitted to Congress by the Executive Council.

"All the amendments, if adopted by the Congress of the United States, will prove to be in the interests of all the workers of the country and of great benefit to all classes of people."

Manufacturers Association Not Consulted

Mr. Lewis's second question (as reported in the public press) was: "Were the proposed amendments prepared by Mr. Green in consultation with representatives of corporations and of the National Association of Manufacturers?"

In answering this second question Mr. Green said:

"No. It is difficult to exercise self-restraint in making answer to such a question. One must subordinate feeling when doing so. At no time have I ever conferred with or consulted with any representative of corporations of the National Association of Manufacturers in the preparation and construction of these amendments."

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"I repeat, instead of attacking the

Senator Burke's Amendments to Labor Relations Act Opposed by A. F. of L.

(Continued From Page 1)

less court reviews and costly litigation.

"The present rule of the court as codified in the amendments of the American Federation of Labor requiring substantial evidence be secured to support the findings of fact made by the Board is just and proper. There is no need to go farther than that.

"Besides, the removal of cases to the District Courts at the request of any party to a proceeding before the Board will result in the removal of nine out of ten cases. Likewise, the method of removal from the Board to the court for a trial of the case is contrary to sound administrative procedure.

"Unfair Labor Practices" Amendment Opposed

"We are opposed to that section which lists unfair labor practices on the part of the employes. It is foreign to the purposes of the Act.

"As has been repeatedly stated, unlawful and improper practices on the part of labor unions and their members are adequately covered by the civil and criminal laws of the States and the Nation.

"This amendment dealing with unfair practices, instead of equalizing the Act as is claimed, will unbalance it and will bring about a reversion to the days preceding the enactment of the National Labor Relations Act.

"To insert the phrase that there shall be no coercion from any source, with the intention of embracing the so-called improper activities of employes, will not accomplish the purpose for which it is intended at all.

"On the contrary, it will serve to open up a flood of litigation against legitimate activities of labor organizations and will bring about the former condition of government by injunction.

Criticizes Strike Vote Plan

"Thousands of labor injunctions will be issued by virtue of that phrase, and the benefits of the Norris-La Guardia Act will be almost entirely nullified.

"The provision in the bill which requires that a majority must approve a strike before one can be called is unjust, unsound, and a denial of fundamental rights of the individual worker and of minorities.

"The right to peacefully persuade and strike has been held by our courts to be on a par with freedom of speech.

"If one man, ten men, or a hundred men in a plant of a thousand have a grievance which causes them to quit is their right and privilege to cease employment in concert and to induce the world of their controversy.

"Senator Burke stated that he desired to protect the individual labor and minority groups in their rights. His proposal runs counter to that declaration.

"I do not wish to take the time of this Committee and launch upon a discussion of the detailed features of proposals which are entirely incompatible with the purposes of the Act, would destroy its guaranteed rights and be worse evils than those which the Act was intended to overcome.

"The American Federation of Labor is opposed to those comprehensive bills which have thus far been introduced in both houses of Congress on behalf of groups and organizations who wish to revert to that period in labor history when strife, turmoil and government by injunction was the order of the day."

J. J. FORRESTER, FORMER RAIL LABOR HEAD, DIES

Passes Away in Washington, D. C., at 71; Was Official of Railroad Clerks For Many Years.

Washington, D. C. (AFLWNS)—James J. Forrester, former president of the Brotherhood of Railway Clerks, an affiliate of the American Federation of Labor, died here from a heart attack on May 1. He complained of acute illness in the morning and passed away in an ambulance as he was being taken to Garfield Hospital.

Active in railway labor affairs since his election as vice president of the brotherhood in 1908, he became departmental president in 1909 and grand president from 1915 to 1920. He was a member of President Wilson's first industrial conference in Washington in 1919 and served a member of the United States Railroad Labor Board.

In 1921 he represented the American Federation of Labor at the British Trade Union Congress and was fraternal envoy of American labor to Ireland.

In 1931 he was appointed special investigator for the Immigration Bureau, Department of Labor, and after serving for more than a year in 1933 was for several years labor research and statistical expert for various agencies. He was a fellow of the American Geographic Society, a member of the Knights of Pythias and the Catholic Club of New York, and an associate member of the Women's Democratic Club of Washington. Mr. Forrester was a native of Wauseon, Ohio.

His wife, Mrs. Rose A. Forrester, survives.

A. F. of L. Demands Ouster of Labor Relations Board

(Continued From Page 1)

Board devised its rules and decrees to give support to unions of our rivals to our great injury.

"We contend that even where a case did not present an issue between claimed varying affiliations, that, even in cases where the American Federation of Labor was organizing on the same industrial, plant or group basis as was its rival—that the Board has devised a procedure and decree as to further the interests of our rivals.

"We do not think that any impartial person can look into the record of this Board's decisions and not be convinced that they are vigorous prosecutors of the cause of a dual movement.

"These precedent-making decisions, and there are a number of them, will be discussed in detail while explaining the particular amendments, both by myself and by associate counsel, Joseph A. Padway, and other witnesses who will testify.

Lost Public Confidence

"In view of what I have said so far today, the purpose of this amendment—which abolishes the Board and creates a new Board—is evident.

"The present Board has alienated the confidence of the American Federation of Labor and its millions of members, as well as of a large portion of the public.

"The Board is blatantly, all classes of the public as well as the American Federation of Labor no longer respect the administration of the Act by this Board. This is a fact which has been evidenced by the action of the Convention and Mr. Lewis.

Rebuked by the Courts

"The Board likewise has been rebuked by various Circuit Courts of Appeals and by the Supreme Court of the United States as well.

"Confidence in the members who compose the Board is vital. Affiliated organizations have gone so far as to say that they will not even seek protection from this Board.

"If this feeling becomes widespread, so that it is thought, as it now is thought on the part of American Federation of Labor unions to seek relief under the Act because of fear of the Board's administration, industrial strife and conflict will be the result, and the ultimate aim of the Act will be destroyed.

"I say it is imperative that the present personnel be displaced if only to restore confidence and respect in the minds of millions of American workers."

LONGER WORK WEEK FOR WOMEN WORKERS VOTED

Columbus, Ohio (AFLWNS)—Enactment legislation favorable to the workers and then decreasing its value by many exemptions is a favorite political game played by many politicians. This was exemplified in the action of the Ohio legislature regarding the length of the work week for women who are subject to the State law establishing the 8-hour day and 48-hour week.

The measure, enacted by a vote of 23 to 6, exempts female workers employed in hotels and restaurants, July, August and September. All restrictions as to hours of labor of women and minors in canneries are removed during the canning season.

The minimum wage board is also authorized to permit the nine-hour day and 50-hour week for an eight-week period in one year on approved application of employers in manufacturing, laundry and dry cleaning industries.

The measure also exempts from provisions of the 8-hour day women employed by dealers in intangibles; financial institutions, including banks; newspapers and insurance companies.

A.F.L. SIGNS UP NINETY CLEANING & DYEING FIRMS

(Continued From Page 1)

Local Union No. 3 affiliated with the International Association of Cleaning and Dye House Workers, supplied the initial impetus. Then, when President Green and the Executive Council ordered an election held at the Chicago Regional Labor Board offices in Chicago, by the members of the organization.

Amongst the workers governed by the new agreement, are included the women girls who number approximately seven hundred. This group of workers have never before been organized.

Since Local No. 3 has been functioning the membership has been increased approximately thirty-five per cent, and better working conditions and higher wages have been obtained for the members of the new local.

Local No. 3 is showing healthy progress, and has a membership of approximately three thousand, and for the first time in many years, there has been established a uniformity of wages and working conditions.